

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America)

v.)

MICHAEL ALVARO)

Case No. 15-1250-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 17, 2014 and May 12, 2015 in the county of Philadelphia in the Eastern District of Pennsylvania, the defendant(s) violated:

Code Section	Offense Description
18 USC 912	Impersonating a Federal Officer
18 USC 913	Impersonator Conducting a Search

This criminal complaint is based on these facts:

On or about November 17, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendant Michael Alvaro impersonated a federal officer and assisted in the detention of an individual and the search of a car, in violation of 18 U.S.C. 912 and 913.

On or about May 12, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant Michael Alvaro impersonated a federal officer, and gained entry to a secured area of a crime scene.

☐ Continued on the attached sheet.



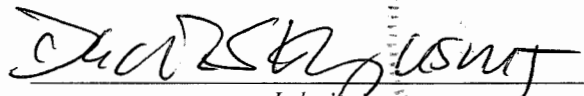
Complainant's signature

Sinclair Reheberg, Task Force Officer - FBI JTTF

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/16/2015



Judge's signature

City and state: Philadelphia, PA

Honorable David R. Strawbridge, US Magistrate Judge

Printed name and title

AFFIDAVIT

1. I, Sinclair Rehberg, National Park Service Law Enforcement Officer currently assigned as a Task Force Officer to the Federal Bureau of Investigation (FBI) Joint Terrorism Task Force (JTTF), being duly sworn, depose and state as follows.

2. I have been employed as Federal Law Enforcement Officer for approximately 6 years and have been assigned to the JTTF for 7 months. In that capacity I have investigated various federal criminal violations. During the course of these investigations, my duties have included writing search warrants, complaints, and arrest warrants; participating in the execution of search warrants; the collection of evidence; interviewing subjects and witnesses; and testifying at various court proceedings. This affidavit is for the limited purpose of establishing probable Cause that Michael Alvaro violated 18 U.S.C. § 912 and 18 U.S.C. § 913.

Summary of Investigation

3. On November 17, 2014, Pennsylvania State Trooper Michael Perillo was investigating a DUI-related vehicle accident on I-95 northbound when he learned that one of the car operators had an active warrant for his arrest. The operator was handcuffed and placed in the back of the Trooper's patrol car.

4. Defendant Michael Alvaro stopped at the scene and identified himself with The DEA task force. Trooper Perillo asked Alvaro to watch the subject in custody while the Trooper conducted an inventory search of the car.

5. Defendant Alvaro later convinced the Trooper to take a more extensive search, claiming that he knows the common "hiding spots." The Trooper stated that he has not had the training that Alvaro has had and Alvaro responds that his experience taught him this "if you do this long enough." Alvaro next actively searched the car, including the rear cargo area, and pulled off panels.

6. Defendant Alvaro asked the tow truck driver for a pry bar, which he used to open an area in the cargo hold. Alvaro found a gray plastic bag containing a brick shaped sludgy object. Alvaro said it was heroin, but they later realized it was paintballs. Alvaro later advised the Trooper to call a K-9 dog, reasoning that there had to be more drugs in the car. Alvaro claimed that he had "been doing this for a long time."

7. On May 12, 2015, Amtrak Northeast Regional Train 188 derailed around 9:30 p.m. at Frankford Junction in Philadelphia, killing eight passengers. First responders, local police, and US Department of Transportation officials converged on the site.

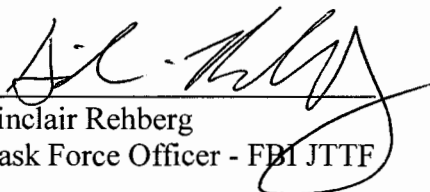
8. At 9:37 p.m., defendant Alvaro called police radio and spoke with a Radio Operator with the Philadelphia Police Department and introduced himself as "Sgt. Alvaro . . . with DEA." ALVARO asked about the derailment which he stated was "in my neighborhood," and whether there were "hazmat" and "how many" injuries, as well as the "exact location" of the derailment. ALVARO asked whether "counterterrorism was notified." The radio operator, believing he was speaking with a federal agent, provided the answers.

9. At 10:00 p.m., defendant Alvaro called police radio again and identified himself as "Sgt. Alvaro, DEA." Alvaro asked where the "command posts for the situation" were. The radio operator provided the information and Alvaro said that he will bring "my guys in" and "I'm headed down now."


10. At approximately 11:30 p.m., Detective Timothy Brooks and Sergeant Bloom of the Philadelphia Police Department Bomb Disposal Unit were investigating the impact crater caused by one of the train cars. An individual, later identified as Alvaro, wearing a vest that said "POLICE," approached. Alvaro represented that he worked for ATF. Detective Brooks then asked Alvaro to watch the crater and make sure no one goes in it while the detective spoke with Amtrak personnel on the scene. When the detective returned to the crater, Alvaro was nowhere to be found, having apparently left the area.

11. Defendant Michael Alvaro, at no time, was an officer or an employee or agent with the Drug Enforcement Administration (DEA) or Bureau of Alcohol, Tobacco and Firearms (ATF). Neither was Alvaro a police officer in Pennsylvania. The Commonwealth of Pennsylvania Municipal Police Officers' Education and training Commission (MPOETC) confirmed that there was no record of ALVARO being certified as a police officer in Pennsylvania.

12. Based on the aforementioned factual information, your affiant respectfully submits that there is probable cause to believe defendant Michael Alvaro impersonated a federal officer, in violation of 18 U.S.C. § 912, and was an impersonator conducting a search, in violation of 18 U.S.C. § 913.


Sinclair Rehberg
Task Force Officer - FBI JTTF

Sworn and subscribed before me
on this 16th day of November, 2015


Honorable David R. Strawbridge
United States Magistrate Judge